

**REMARKS/ARGUMENTS**

**The Invention**

The invention relates to polypeptides having PhzO activity which are encoded by nucleic acids of defined structure.

**Response to Notice of Non-Compliant Amendment under 37 C.F.R. §1.121**

In the Notice, the Examiner indicates that: "A complete listing of all the claims is not present."

On March 26, 2004, Applicants filed the present, Divisional application together with a Preliminary Amendment. In the Preliminary Amendment, Applicants cancelled claims 1-7, and 10. Cancellation of claims 1-7, and 10, left only claims 8 and 9 pending. Applicants now recognize that in previous responses the cancelled claims have not been indicated. Appropriate correction has been made.

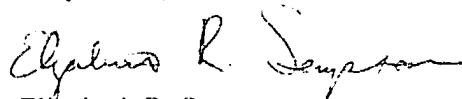
Applicants respectfully request withdrawal of the objection.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 510-559-6066.

Respectfully submitted,

  
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